

MINUTES

RANDOLPH COUNTY PLANNING BOARD

August 2, 2005

The Randolph County Planning Board met at 6:30 p.m., on Tuesday, August 2, 2005, in the Commissioners' Meeting Room, Randolph County Office Building, 725 McDowell Road, Asheboro, North Carolina.

1. **Chairman Maxton McDowell** called to order the Randolph County Planning Board meeting at 6:30 p.m.
2. **Hal Johnson**, Planning Director, called roll of the members: Maxton McDowell, Chairman, present; Bill Dorsett, Vice Chairman, present; Lynden Craven, present; Larry Brown, absent; Phil Ridge, present; Chris McLeod, present; Jim Rains, present; and Reid Pell, Alternate, (substituting for regular member Brown) present. County Attorney Alan Pugh was present for this meeting.
3. **Rains** made the motion, seconded by **Craven**, to approve the Minutes of the July 12, 2005 County Planning Board Meeting. The motion passed unanimously.
4. **REQUEST FOR A SPECIAL USE PERMIT:**

Swearing in of the Witnesses - "Do you swear or affirm that the information you are about to give is the truth, the whole truth, and nothing but the truth, so help you God."

There was one citizen that took this oath.

YOUTH UNLIMITED, INC., High Point, North Carolina, is requesting a Special Use Permit to construct a 9,700 sq. ft. building to operate a youth maternity home on 6.18 acres off Beeson Farm Road at the end of Youth Unlimited Drive, Back Creek Township, Rural Growth Area, Zoning District RA, Tax ID# 7734383303.

Cliff Parker, Executive Director, said that Youth Unlimited has been at this location since 1972. Parker said they usually have approximately 18 kids at the facility. Parker said they have had a private soil scientist do soil work on the property. They currently have 3 licensed homes on the property and this home will be licensed also.

There was no one present in opposition to this request.

Craven made the motion, seconded by **McLeod**, to approve this request for a Special Use Permit. The motion passed unanimously.

5. **REQUESTS FOR PROPERTY REZONING:**

- A. **KEVIN HILL**, Seagrove, North Carolina, is requesting that 10.40 acres located on N.C. Hwy 42 South, Grant Township, Zoo Growth Area, be rezoned from E-1 to CVOM-CU. Tax ID# 7688592767. The proposed Conditional Use Zoning District would specifically allow the development of a 4-lot residential subdivision for single-wide mobile homes, double-wide mobile homes, modular homes, or site-built homes.

- **Neighborhood Information Meeting Summary**

The developer and his surveyor were present for this meeting. There were 11 citizens present with concern about this request. Concerns expressed were:

***opposed to mobile homes and felt only site-built or modular homes should be permitted*

***felt the mobile homes would devalue their properties*

***concerned about additional wells having a negative impact on existing wells*

***concerned that existing driveways would be used by the proposed lots because of the extreme topography problems at the front of the proposed site*

The developer has made no change in his request since this meeting.

- **Technical Review Committee Recommendation**

The Technical Review Committee met and found that the proposal was not in compliance with standards outlined in the Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommended to the County Planning Board that this request be denied as inconsistent with existing development patterns. The Committee recognized that the topography of the land is not suitable for a major subdivision development. Each driveway connection would not be connecting to a state road but would be using a private driveway.

Jerry King, surveyor, was present and explained his client's intention to develop the property. King explained there is an existing home on lot 1 and all the new homes would be to the back of each lot. King said each lot has an average of 150 ft. of road frontage. King said Hill was present if the Board had any questions for him. King described the housing in the area as mixed. **Johnson** said the only zoning requests the Board has considered in the area have been for site-built homes only. Johnson said that one concern was the topography of the property. Johnson asked King if each lot would access the existing easement, and **King** answered that each lot has road frontage as required by the Ordinance, but the existing easements would be used. King said that the neighborhood currently uses a private drive on this property. King said that when the creek floods this private drive is the only way out for some property owners in the neighborhood.

Pugh said the property is currently zoned E-1 and the E-1 zoning designation is a protection for the N.C. Zoo. Pugh said the property borders along the Rural Growth Area. **King** said the E-1 property is west of the creek. **Pell** asked if the houses were being proposed in the E-1 area and **King** answered yes.

Mark Beal, adjoining property owner to the south, said that he is not opposed to houses being built, but he is opposed to mobile homes. Beal said they are interested in purchasing some of the property. Beal said he accesses his property by crossing this property.

Glenn Smith, 5197 Ridge Road, said that he lives across the road from another development of Mr. Hill's. Smith presented pictures of that development. Smith said that Hill buried the existing house and mobile home on the property across the road from his home. Smith said that Eric Martin, Waste Manager of Randolph County, wouldn't come to the property until he called EPA. Smith said Hill was made to clean up the debris. Smith said that they burned some of the debris and the remainder was not dug up and removed.

Pugh said that this information is concerning the man requesting this zoning and not the site. Pugh said he didn't feel this information was relative to this zoning case. Pugh advised the Board that they could receive the information if they so chose, but he didn't feel the information was relevant. **Smith** said that it is a different site, but he wanted the Board to know that Hill develops "ghettos". **Chairman McDowell** said that the Board understood the point he had made, but they didn't want to see his documents at this time.

There was no one else in opposition to this request.

Dorsett said that he would be concerned about single-wide mobile homes.

Ridge expressed concern about the creek being crossed with 3 new driveways. Ridge said the creek floods and he didn't feel like this would be a good plan for development.

Craven made the motion, seconded by **Dorsett**, to recommend to the Commissioners that this request be **denied** as totally inconsistent with the Growth Management Plan for this area. The motion passed unanimously.

- B. **GREG BRYANT**, Asheboro, North Carolina, is requesting that 12.01 acres located on Wicker Lovell Road (just north of Carl Allred Road), Franklinville Township, Secondary Growth Area, be rezoned from RA to CVOR-CU. Tax ID# 7773891426. The proposed Conditional Use Zoning District would specifically allow the development of a 4-lot residential subdivision for Class A double-wide mobile homes, modular homes, or site-built homes with a minimum house size of 1,200 sq. ft. Property Owner - William Redding.

- **Neighborhood Information Meeting Summary**

The Technical Review Committee met and found that the proposal was not in compliance with standards outlined in the Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommended to the County Planning Board that this request be denied as inconsistent with existing development patterns.

- **Technical Review Committee Recommendation**

The Technical Review Committee met and found that the proposal was not in compliance with standards outlined in the Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommended to the County Planning Board that this request be denied as inconsistent with existing development patterns.

Greg Bryant was present and explained his intention to develop the property. Bryant said that they have the soils for 6 lots but they are requesting only 4 lots. Bryant said they felt double-wide mobile homes would be appropriate next to the existing mobile home park. Bryant said that the mobile homes would be required to be new homes. **Johnson** asked Bryant about the homes in the area. **Bryant** answered that there is a mixture of housing; however, he is aware that the only requests for zoning in this area have been for site-built homes.

Franklin Allred, 2434 Wicker Lovell Road, said that he lives directly across from proposed lot 1. Allred said he is not opposed to the subdivision, but he is opposed to the septic tank waste being pumped uphill behind lot 1. Allred said when the septic tanks have been saturated, the sewer would possibly be a problem for him. Allred said he felt the soils are so poor that the septic systems will fail. Allred said he is also opposed to any double-wide mobile homes. Allred said they would like to see site-built or modular homes with a minimum house size of 1800 sq. ft. Allred said the County is not even sure that the property will perk. Allred said this will devalue the property in this area.

Walter Lovell, 2543 Wicker Lovell Road, said that he adjoins the property to the north. Lovell said he agrees with all of Allred's concerns. Lovell said that he is also concerned for the schools. Lovell said the Commissioners approved a 10-lot subdivision 1/4 mile down the road from this site and he felt this could overburden the school system. Lovell said the property is a swamp. Lovell said if the property is developed, he would like to see only site-built homes with a house size of at least 1800 sq. ft.

Carla Lovell, 2554 Wicker Lovell Road, said she is concerned about overloading the schools. Lovell expressed concern for the traffic. Lovell asked if the County would require that the wells and septic tanks be approved before any construction.

Franklin Allred added that the sewer would have to be pumped 450 ft. to the sewer field. Allred described the problems that could be caused if the pump systems malfunctioned.

Craven said that if the lot doesn't perk, there won't be a house built on the lot.

There were 15 people present in opposition to this request.

Johnson said this is a good example of using off-site septic systems. Johnson said the Health Department allows this occasionally. Johnson said this type system can cause problems. **Ridge** said that he felt pump systems have had a fair amount of success. Ridge said that he did like the fact that the road frontage is 200 ft or greater for each lot and the lot sizes are larger than usual. Ridge said that his only concern was the double-wide mobile homes. **Pugh** said that the staff's recommendation of denial is due to the housing type. Pugh said that to require site-built homes would improve the quality of housing for the community in the future. **McDowell** said that the lots are larger, but that is because of the soil quality. **Dorsett** said he felt the Board has to be careful not to deny the developer's right to develop the property.

Pugh asked Johnson if the staff's recommendation would have been different if the housing quality had been different. **Johnson** answered yes. Johnson said the only zoning changes that have been approved in the area have been for site-built homes. Johnson said there are mobile homes in the area, but this is not as a result of any action taken by the Board. **Craven** said the mobile homes were there before zoning and he felt that requiring site-built homes would be more appropriate for the area.

Craven made the motion, seconded by **Rains**, to recommend to the Commissioners that this request be **denied**.

McLeod asked if the Board could ask the developer if he would consider changing his request. **Pugh** answered that the developer can change his request tonight or at a later date.

Bryant said he would agree to drop the mobile homes but he would like to keep the housing size at 1200 sq. ft. **Ridge** said he would like to see 1500 sq. ft. homes. **Bryant** said the County's report said the average housing size in the area is 1286 sq. ft. Bryant said he would be willing to increase the housing size to 1300 sq. ft.

Pugh commended the applicant for the change of his request and said that he would suspect that the housing size issue would come back up at the Commissioners' Meeting.

Craven withdrew his motion and made a second motion to recommend to the

Commissioners that this new request be **approved**. **Chris** seconded the motion.

Ridge said he would be concerned about the proposed house size and for this reason he would vote against the motion.

Chairman McDowell asked that the record show the Board still has concern for the proposed housing size of 1300 sq. ft.

The motion passed by a vote of 6 to 1, **Ridge** voted against the motion.

- C. **SCHWARZ PROPERTIES, LLC.**, Asheboro, North Carolina, is requesting that .69 acres located at 9124 US Hwy 64 West, Tabernacle Township, Lake Reese Watershed, be rezoned from Residential Agricultural to Highway Commercial/Conditional Use. Secondary Growth Management Area. Tax ID# 6793201625. The proposed Conditional Use Zoning District would specifically allow the existing building to be used for commercial retail sales with an upstairs residential apartment.

- **Technical Review Committee Recommendation**

*The Technical Review Committee met and found that this proposal was in compliance with the standards outlined in the Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommended to the County Planning Board that this request be **approved**.*

Frank Edmondson, representative, said that the building on the property was built for this proposed use. Edmondson said he has had three tenants in this building and their new tenant is requesting a light retail store. Edmondson said they are willing to bring the property up to the appropriate building codes. Edmondson said he has met with the Property Development Advisory Team and is willing to do what is necessary to upgrade the facility.

Shane Barker, representative, said that he didn't realize the property was not zoned for commercial activities.

There was no one present in opposition to this request.

Ridge made the motion, seconded by **Rains**, to recommend to the Commissioners that this request be **approved**. The motion passed unanimously.

- D. **RAY BUTLER**, Asheboro, North Carolina, is requesting that 8.12 acres located on Earnhardt Road (at Jericho Butler Drive), Back Creek Township, Secondary Growth area, be rezoned from RA to CVOR-CU. Tax ID#'s 7723498188, 7723486801, 7723581725, and 7723488920. The proposed Conditional Use Zoning District would specifically allow the development of a 5-lot residential

subdivision for Class A double-wide mobile homes, modular homes, or site-built homes.

- **Neighborhood Information Meeting Summary**

Mr. Butler was present. There was no one present in opposition to this request.

- **Technical Review Committee Recommendation**

The Technical Review Committee met and found that the proposal was in compliance with standards outlined in the Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommended to the County Planning Board that this request be approved as consistent with existing development patterns.

Examples of some Growth Management Policies that the Technical Review Committee found supporting this recommendation are:

Policy 6.5 The protection of viable rural neighborhoods should be encouraged by compatible residential development to insure the continued existence as a major housing source and as a reflection of the long-term quality of life in Randolph County.

Policy 6.13 Conventional Residential Subdivisions are anticipated of similar housing characteristics to the community.

Butler was not present for this meeting. **Johnson** explained that the property has been in Butler's family for 100+ years. Johnson said Butler wants to leave these lots to his children with a stipulation in his will that the lots always remain in his family. Johnson said the property would be restricted against single-wide mobile homes.

There was no one present in opposition to this request.

Pugh said that a provision like this in a will is not enforceable. Pugh said this would be an unreasonable restraint against the land.

Craven made the motion, seconded by **McLeod**, to recommend to the Commissioners that this request be approved. The motion passed unanimously.

- E. **TERRY MOFFITT**, Ramseur, North Carolina, is requesting that 2.89 acres located on US Hwy 64 East (just east of Reed Creek Road), Columbia Township, be rezoned from Residential Agricultural to Office Institutional/Conditional Use. Municipal Growth Management Area. Tax ID# 8712164099. The proposed Conditional Use Zoning District would specifically allow the construction of a 52' x 128' building for a religious conference and educational center. Property Owner

- Elizabeth L. Spencer.

- **Technical Review Committee Recommendation**

The Technical Review Committee met and found that this proposal was in compliance with the standards outlined in the Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommended to the County Planning Board that this request be approved.

Moffitt, 6573 Buffalo Ford Road, Ramseur, said this is an idea of the Jewish Awareness Ministry (JAM). **Moffitt** said there is no ministry like this in Randolph County. **Moffitt** said this is a mission board that provides training and oversight to missionaries that local churches send into the mission field. **Moffitt** said that they also handle such things as visas and travel arrangements for the local churches. **Moffitt** said the board is made up of mostly pastors. **Moffitt** said they act on behalf of local churches. **Johnson** asked how many people would be at the facility on a regular basis. **Moffitt** said there could be 2 or 3 staff people. **Moffitt** said they will hold no more than 9 or 10 weekend seminars each year and 1 or 2 week long seminars each year. **Moffitt** described the facility with a multi-purpose/training room, 6-bed living section, cafeteria, etc. **Moffitt** said there would be approximately 5 to 10 families each time. **Moffitt** said that sometimes a seminar would be for 25 to 50 people from a single church. **Ridge** asked about the building type, and **Moffitt** answered it would be brick veneer and stick built.

Kenneth Huggins, Pastor of Grace Community Baptist Church, said they own the property immediately east of this site. **Huggins** said they are familiar with this organization and they are constructing a church adjoining this property. **Huggins** said they are familiar with the credibility of this organization and would be in favor of this request.

There was no one present in opposition to this request.

Craven made the motion, seconded by **Rains**, to recommend to the Commissioners that this request be approved. The motion passed unanimously.

- F. **TOBY STRIDER**, Randleman, North Carolina, is requesting that 19.33 acres located on Kindley Farm Road, Franklinville Township, Secondary Growth Area, be rezoned from RA to CVOR-CU. Tax ID# 7791340186. The proposed Conditional Use Zoning District would specifically allow the development of a 18-lot residential subdivision for Class A double-wide mobile homes, modular homes, or site-built homes with a minimum house size of 1,200 sq. ft.

- **Neighborhood Information Meeting Summary**

The developers were present and there were also 2 adjoining property owners

present. Their concern was the possibility that this development could have a negative impact on their farming operations.

- **Technical Review Committee Recommendation**

The Technical Review Committee met and found that the proposal was in compliance with standards outlined in the Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommended to the County Planning Board that this request be approved as consistent with existing development patterns.

Examples of some Growth Management Policies that the Technical Review Committee found supporting this recommendation are:

Policy 6.5 *The protection of viable rural neighborhoods should be encouraged by compatible residential development to insure the continued existence as a major housing source and as a reflection of the long-term quality of life in Randolph County.*

Policy 6.13 *Conventional Residential Subdivisions are anticipated of similar housing characteristics to the community.*

Strider was present and explained his intention to develop the property. Strider said a soil scientist has reviewed the property. Strider said the majority of the housing on this road is mobile homes. Strider said there is farming to the rear of this property and he is providing a 100 ft. well setback as required by County Ordinance. Strider said there would be only 1 home visible from Kindley Farm Road. **Pugh** asked Strider his plan for the timber on the property; and **Strider** answered that he is not going to timber the property.

Carol Hill, 1485 Hill Road, showed a picture of her family to the Board. Hill said the Board approved a new subdivision adjoining her farm and the poultry company closed her farm because of that new development. Hill said she went from making \$100,000+ per year to \$8 an hour. Hill said her poultry operation was a causality of development in Randolph County. Hill said they are still trying to recoup from this great loss and they are trying to farm the property. Hill said she knows Strider has a right to use his land, but she also has a right to farm her property with the understanding that her farm will not be damaged. Hill said she realized that she could post the property, but this would still be a liability to their farm. Hill said she will lose money, not Mr. Strider, when this development is built. **Rains** asked why their contract with the chicken company was not maintained. Hill said that they were told it was because of a downturn in the economy, but they knew it was because of the new development. **Pugh** asked Hill if she was told by the chicken company that they closed her farm due to a zoning change. **Hill** said they would not tell her this on the record. **McLeod** asked if her chicken houses were tunnel houses and **Hill** answered yes.

McDowell asked what excuse she was given and she said they were told that they were downsizing. **Craven** said they (the chicken companies) don't give excuses. Craven said that before his heartattack his houses were great and after his heartattack his houses needed \$40,000 in repairs. **McLeod** asked how old Hill's houses were and **Hill** answered 20+ years. Hill said that the chicken company said her houses were nicer than some new homes. Hill said they raise livestock such as cattle, goats, etc. Hill said they are looking into growing crops, but the 18 new homes would limit the use of her property. Hill said that she understands that business is business. Hill asked the Board to remember that someone has to raise the food they eat and she asked the Board to consider the children that will be affected by this decision. **Ridge** asked Hill if her farm is farm-tax deferred and **Hill** answered yes.

Darrell Wright, 3540 Wright Farm Lane, said he felt the proposed development would be too dense. Wright said there are mobile homes in this area, but they were all there before any zoning was placed in the county. Wright said this is bordered by 100+ acres of farmland. Wright said the new housing developments that have been approved by the Board are nice. Wright said that he spreads chicken litter on the adjoining property to this proposed site. Wright said he is doing his part in preserving the open-space in the County. Wright said he felt 7 to 8 lots would be enough, and the County should try to improve by requiring site-built homes in the area. Wright said the 4-wheelers on Kindley Farm Road tear up his fields now and these new lots would only create more people to add to this problem. Wright said the lot sizes should be larger and the houses should be stick built.

Hill asked that the Board to require a buffer along the farm properties, if they plan to approve the request. **McDowell** said Strider is not planning to cut the timber and he is proposing a 100 ft. well setback.

Pugh told the Board that they could ask Strider to consider a no-cut buffer. **Strider** said he would agree to a 25 ft. no-cut buffer along the perimeter of the property. **Dorsett** said he felt that a 25' buffer would be inadequate. Dorsett said he felt Strider should give a 100 ft. no-cut buffer and the Board could recommend a buffer to the Commissioners without the agreement of the developer. **Pugh** said that Dorsett is correct that the Planning Board can recommend to the Commissioners a buffer, but the applicant would have to agree to a buffer prior to the Commissioners acting on the zoning request.

Rains said that the required setback is 30 ft. and Strider could easily agree to this being a no-cut buffer.

Strider said he felt the type of housing being proposed is accurate and the lots meet the minimum requirements of the County.

Rains said that actually 56% of the housing within a mile of this property is site-

built. **Strider** said that all the houses along Kindley Farm Road are mobile homes. Strider said he would be concerned about the marketability of the property if double-wide mobile homes were not allowed. Strider said he would need 18 lots to overcome the expense of the paved road.

Dorsett said that he felt the 25' buffer was admirable, but the buffer along the north property line would need to be at least 50' for an adequate buffer along the farm property.

Pugh advised the Board they could make a motion to recommend to the Commissioners that the request be approved with a minimum 50' no-cut buffer. Pugh said the applicant could let the Commissioners know if he would agree to the buffer.

McLeod said due to the 100 ft. well setback and the well setback of 100 ft. from the septic tank field, no-cut buffers could be difficult. McLeod said that the Health Department determines where the house is going to be built. McLeod said that the no-cut buffer could be a problem.

Rains said he felt the Development Impact Analysis should be more closely considered. Rains said that the average lot size in this area is 5+ acres and 56% of the housing type in this area is site built. Rains said this tells him that this is a farming community and the density issue that has been raised is an important issue.

Craven said he felt it is the responsibility of this Board to protect the farmers.

Dorsett made the motion, to recommend to the Commissioners, that this request be approved with the following buffer requirements:

- **25' no-cut buffer along the southern property line
- **50' no-cut buffer along the northern and eastern property line.

Dorsett said that the buffers need to be used to protect the existing community.

McLeod seconded this motion. The motion was defeated by a vote of 2 to 5, Craven, Rains, Ridge, McDowell, and Pell voted against the motion.

Craven made the motion, seconded by **Rains**, to recommend to the Commissioners that this request be denied for the following reasons:

- **density
- **vegetative buffer
- **housing type.

Ridge said he would feel better if the lot number was reduced to 12 lots.

The motion passed by a vote of 6 to 1, **McLeod** voted against the motion.

Johnson asked the Hills and Wrights if they had registered as a voluntary agricultural district. Both families said they had.

Johnson said that when the Growth Management Plan was being developed the County received a lot of opposition from the farmers in this area. The farmers wanted the option to use their property for development after they retired and were strongly opposed to being designated a Rural Growth Area that would require 3 acre lots to control density.

Pugh commended the developer for trying to work with the Board on other options. Pugh said there were a lot of issues Strider was asked to consider on the spur of the moment.

- G. **ERIC DAVIS**, Randleman, North Carolina, is requesting that 8 acres (out of 36.80 acres) located on US Hwy 220 Bus North (just south of Holder Inman Road), Level Cross Township, Randleman Lake Watershed, be rezoned from Residential Agricultural to Heavy Industrial/Conditional Use. Primary Growth Management Area. Tax ID# 7767261213. The proposed Conditional Use Zoning District would specifically allow the construction of a 100' x 200' building to manufacture building materials.

- **Technical Review Committee Recommendation**

The Technical Review Committee met and found that this proposal was in compliance with the standards outlined in the Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommended to the County Planning Board that this request be approved as consistent to existing land patterns along this major highway.

Examples of some Growth Management Policies that the Technical Review Committee found supporting this recommendation are:

Policy 3.3 Heavy industrial sites should be separated from nonindustrial areas by natural features, green belts and/or other suitable means.

Policy 3.5 Warehousing, storage and distribution facilities should have direct access to appropriate thoroughfares and should be visually buffered according to their location.

Davis was present and explained that residential and commercial wooden structure products would be made here from 7 am to 5 pm, Monday through Friday. Davis said they do own an additional 28+ acres that adjoins this property

and they plan to continue to farm that portion of the property. Davis said they will employ up to 30 employees. Davis said they will construct a metal building and the noise would be limited. Davis said there will be some storage outside for shipping purposes. Davis said there will be no retail sales from the property and there are some commercial businesses in this area. **Pugh** pointed out that this is a Primary Growth Area.

Wayne Parrish, 621 Providence Church Road, said he owns the auto car lot in front of this site. Parrish said he is supportive of this request. Parrish said he would like to see Davis control the possible dust problems that could be created by the trucks. Parrish said he felt he and Davis could work out any problems that may come up. Parrish said he would like to see the 30+ jobs come to their community.

Craven asked how many trucks would be coming in per day and **Davis** answered 10+ trucks each day.

Susan Bailey, 9699 US Hwy 220 Business North, said she wanted to know if the woods would be laminated. **Davis** said the products should be stapled with no glueing process. **Bailey** asked if Davis is planning a buffer; and **Davis** answered he has agreed to a Level 2 buffer. **Bailey** asked what the industrial change in this community could do to her property values. **Pugh** said that it is a guess but it would depend on who wants the property and for what use. **Rains** said that the property will remain valued at a residential value until such time that the property is used for something else.

Dorsett asked if the business hours were part of the permit. **Pugh** said he would strongly recommend that the operation hours not be considered as part of the permit. Pugh described the Primary Growth Area as an area where commercial and industrial areas are expected; therefore, a condition limiting the hours of operation wouldn't be appropriate. **Dorsett** said he felt the hours of operation should be considered because there are many properties in this area that will be used residentially for several years to come. **Rains** advised Davis to discuss these issues with his designer so that they can be properly addressed during the design phase of his project. **Dorsett** said that if the use is changed it would require the applicant to come back to the Board and the hours could be changed, if necessary, at that time. **Pugh** said this is a commercial and industrial zone and the Board should take that into account. **McDowell** said that the Board could place this condition as a pleasure of the Board. **Dorsett** said he felt the request is totally appropriate, but the Board should consider future owners.

Dorsett made the motion, to recommend to the Commissioners, that this request be approved with the condition that the hours and days of operations be considered as part of the permit.

Davis said that as their business grows he would possibly need to increase the hours.

Dorsett withdrew his motion and made a new motion to recommend approval with the condition of operating hours from 7 am - 11 pm, six days a week. **Craven** seconded this motion. The motion passed by a vote of 6 to 1, **Rains** voted against the motion. Rains was opposed to limiting the hours of operation.

5. The meeting adjourned at 8:53 p.m. There were 49 citizens present for this meeting.

**NORTH CAROLINA
RANDOLPH COUNTY**

HAL JOHNSON

Planning Director

JILL WOOD

Date

Clerk/Secretary